

Entered - 07/23/01 - sb
CL01L0464 - DIANNE C. MITCHELL

01- R-1387


CLAIM OF: **TAMEKA STEPHENS**
1584 Foote Street
Atlanta, Georgia

For damages alleged to have been sustained as a result of a vehicular accident on June 22, 2001 at 950 Garibaldi Street.

BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **TAMEKA STEPHENS** the sum of **\$853.82** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of a vehicular accident on June 22, 2001 at 950 Garibaldi Street as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

THIS ADVERSED REPORT IS APPROVED

BY: 
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0464

Date: August 15, 2001

Claimant /Victim TAMEKA STEPHENS

BY: (Atty)(Ins. Co.) _____

Address: 1584 Foote Street, Atlanta, Georgia

Subrogation: _____ Claim for Property damage \$ 853.82 Bodily Injury \$ _____

Date of Notice: 07/1/01 Method: Written, proper X Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 06/22/01 Place: Pittman Recreation Center, 950 Garibaldi Street

Department PRCA Division: Recreation

Employee involved Connie Thierry Disciplinary Action: Pending

NATURE OF CLAIM: The operator of the City vehicle struck the claimant's vehicle misjudged his clearance and struck the claimant's parked vehicle causing damages in the above amount.

INVESTIGATION:

Statements: City employee X Claimant X Others _____ Written _____ Oral X

Pictures _____ Diagrams _____ Reports: Police _____ Dept Report X Other _____

Traffic citations issued: City Driver _____ Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____

Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable X

City not involved _____ Offer rejected _____ Compromise settlement _____

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 853.82 Adverse _____ Account charged: 1A01 X 2J01 _____ 2H01 _____

Claims Manager:  Concur/date 08-15-01

Committee Action: _____ Council Action _____

Mitchell
07/20/01
RECEIVED

COUNCIL OF THE CITY OF ATLANTA
CLERK OF COUNCIL
City Hall
55 Trinity Street, S.W.
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Today's Date: 6/22/01

JUL 11 2001

MUNICIPAL CLERK

Dear Clerk of Council:

ENTERED - 7-23-01 - SB
01L0464 - DIANNE MITCHELL

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ _____ property and/or \$ _____ bodily injury for which I contend the City is liable.

1. Date of incident: 06/22/01
(month/day/year)

2. Police called: X
Yes No

3. Location of incident: 950 Garibaldi St, Atlanta, GA, 30310 (Pittman Pool)

4. Name of your insurance company: GELCO Insurance Company Policy No. _____

5. State what and how incident occurred: Employee was operating machine and hit the side of vehicle.

6. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

7. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: Chrysler Sebring 1996 935 RNP Tameka Stephens
(make) (year) (tag number) (driver's name)

City vehicle: city rental Equipment Geni 60 lift
(make) (City driver's name) (department/bureau)

8. Witness: Ahmad Abdul-Ali
(name) (address) (telephone number)

9. The acknowledgement of this claim in no way waives the Governmental immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

10. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Tameka Stephens
(claimant's name)

1584 Foote St. (Foote)
(address)

Atlanta, GA
(city and state)

(4) 322-0021 (work number)
(4) 624-6774 (home number)
(4) 373-6478

GENERAL RELEASE AND INDEMNIFICATION

CLAIM NUMBER 01L0464

\$ 853.82

IN CONSIDERATION of the sum of EIGHT HUNDRED FIFTY-THREE AND 82/100
DOLLARS, to be paid to me by the CITY OF ATLANTA, the future receipt of which is hereby
acknowledged, I do hereby, for myself, my heirs, executors, administrators, and assigns, release and forever
discharge said City, its officers and employees, including but not limited to Connie Thierry, from any and all
claims, demands, actions, causes of action, suits, damages, loss and expenses, of whatsoever kind or nature for or
on account of anything that has heretofore occurred, and particularly for or on account of a vehicular accident

which occurred on or about the 22nd day of June, 2001

at or near Pittman Pool

It is further understood and agreed that the payment of the above named sum is not to be considered as an
admission on the part of the City, its officers, agents, servants or employees, of any liability whatsoever and the
undersigned further covenants and agrees to indemnify and hold harmless the City of Atlanta, its officers, agents,
servants and employees, from any and all claims, damages or costs which the said City of Atlanta, its officers,
agents, servants and employees, may be called upon to make as a result of the event hereinbefore referred to.

And I now state that the only consideration for my signing this release and indemnification is the payment
of the sum stated above; that no other promise or agreement of any kind or nature has been made to or with me by
said City or its agents to cause me to sign this release, and that I fully understand the meaning and intent of this
instrument.

WITNESS my hand and seal this 31 day of August, 2001.

Tameka Stephens (LS)
TAMEKA STEPHENS

The above release was read and explained to, and signed by the said TAMEKA STEPHENS

in our presence on the date above written.

Dwight H. Harris
Antoinette O. Huckle
WITNESSES